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Patent, Trademark & Copyright Attorneys

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### **FAX TRANSMISSION**

TO:

Attn: Examiner Uven T. Ho

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

DATE: FEBRUARY 22, 2005

FROM: J. SCOT WICKHEM

OUR REF: 1001,1855103 TELEPHONE: 612.677.1700

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Title of Document Transmitted:

<u>TERMINAL DISCLAIMER</u>

Applicant:

STEPHEN C. JACOBSEN et al.

Serial No.:

10/073,996

Filed:

FEBRUARY 14, 2002

Group Art Unit:

3731

Our Ref. No.

1001.185<u>5103</u>

Confirmation No.: 9063 Customer No.:

28075

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Name: \_\_\_\_ Thu H. Le-To

FEB 2 2 2005

PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

STEPHEN C. JACOBSEN et al.

Confirmation No.: 9063

Serial No.:

10/073,996

Examiner: Ho, Uyen T

Filed:

FEBRUARY 14, 2002

Group Art Unit: 3731

Title:

DETACHABLE COIL FOR ANUERYSM THERAPY

Docket No.:

1001.1855103

Customer No.: 28075

# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION (37 CFR §1.321(c))

MAIL STOP: AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION  1 hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.
Thu H. Le-To
Type or print name of person signing certification
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Dear Sir:

### Identification of Person Making This Disclaimer

I, J. SCOT WICKHEM represent that I am the attorney of record for this invention.

### Identity of Assignee and Title of Disclaimant

The assignee of this application is \_\_\_\_\_PRECISION VASCULAR SYSTEMS, INC.

#### **Extent of Disclaimant's Interest**

The extent of the interest in this invention that the Disclaimant owns is in the whole of this invention.

#### Disclaimer

The terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156

Application No. 10/073,996 Terminal Disclaimer dated February 22, 2005 Reply to Final Office Action dated June 2, 2004

and 173 of United States Patent No. <u>6.063.101</u> as presently shortened by any terminal disclaimer is hereby disclaimed, except as provided below, and it is agreed that any patents so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. <u>6.063.101</u> this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, Disclaimant does not disclaim the terminal part of any patents granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of United States Patent No. 6.063.101, as presently shortened by any terminal disclaimer, in the event that either later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued in any matter or is terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

#### Fee Payment

The Commissioner is hereby authorized to charge the disclaimer fee in the amount of \$130.00 and any additional fees associated with this application or credit any overpayment to Deposit Account No. 50-0413.

Respectfully submitted,

STEPHEN C. JACOBSEN et al.

By their attorney,

Date: F.S. 22, 2005

Scot Wickhem, Reg. No. 41,376

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